

Table of EU Files with Public Procurement Provisions: State of Play in May 2026

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Table of Ongoing EU Legislative Files with Public Procurement Provisions: State of Play in May 2026

ONGOING sector-specific files with PP provisions					
File	Title	WP	PP provisions	Substance	State of play
Industry (Decarbonisation) Accelerator Act IAA	<p>Proposal for a Regulation establishing a framework of measures for the acceleration of industrial capacity and decarbonisation in strategic sectors and amending Regulations (EU) 2018/1724, (EU) 2024/1735 and (EU) 2024/3110</p> <p>COM(2026) 100 Final</p>	WP on Competitiveness and Growth (Industry)	<p><u>Chapters III</u> (on PP) and <u>V</u> (defined set of criteria);</p> <p><u>Chapter VI</u> (amendments to existing regulations concerning PP procedures);</p> <p><u>Annexes II</u> (low-carbon requirements) and <u>III</u> (origin requirements for vehicles for PP procedures).</p> <p>Low-carbon and Made in EU requirements are introduced for steel, cement and aluminium used in selected downstream sectors (automotive and construction) in public procurement and support schemes. Conditions for specific investments are mandatory rather than voluntary. Regarding steel, for PP schemes, the proposal limits requirements for steel used in the automotive and construction sectors to low-carbon criteria. In light of the recently proposed trade measure addressing the negative trade-related effects of global overcapacity on the Union steel market, introducing a EU preference for steel is not considered necessary.</p>	<p>The legislative proposal aims to strengthen the EU's long-term economic resilience, prosperity and strategic autonomy by supporting industrial production and accelerating decarbonisation.</p> <p>Legal basis: Article 114 and 207 TFEU.</p> <p>The Circular Economy Act proposal will complement the IAA by boosting recycling and access to secondary raw materials, reducing dependencies and vulnerabilities also for energy-intensive industrial products. Consistency between the sector specific measures in the IAA and the Public Procurement revision will also be ensured.</p> <p>The proposal takes into account the WTO Agreement on Government Procurement (GPA) and relevant bilateral EU trade agreements. Operators established in countries covered by such commitments can benefit from enforceable access to specific procurement procedures defined in the relevant coverage schedules. Their applicability therefore depends on the contracting authority conducting the procurement and the subject matter of the contract. Besides, the Union retains the right to apply general or security exceptions.</p> <p>It is not possible to establish a single list of third countries with fully secured</p>	<p>Published on 5 March 2026 and presented by the Commission at the WP on 16 March and on 27 March, at the WP on Public Procurement.</p> <p>The meetings of the Working Party on Competitiveness and Growth (Industry) on 27/04 and 28/04 were dedicated to Chapter III (Strategic Industrial Value Chains) including Annex II (Low-carbon and Union origin requirements for energy intensive industries) and Annex III (Union origin requirements for vehicles).</p> <p>On EU preference, Member States were divided. Some requested to introduce Union origin requirements for steel too, considering the currently negotiated steel safeguard measures insufficient for creating lead markets for EU low-carbon steel.</p> <p>Another concern by many Member States was the broad delegated power proposed to the Commission to exclude countries from the</p>

			<p>The provisions on PP procedures, auctions and support schemes cover additional net-zero technologies (solar thermal, heat pumps, wind, nuclear fission, and hydrogen). In addition, amendments to Article 25 of NZIA on PP to clarify the technology scope in including only technologies that are commonly publicly procured. It also includes changes in Article 26 of NZIA in relation to auctions, to take account of the growing importance of auctions for securing the Union's energy supply and safeguarding its technological sovereignty. It also includes amendments to Article 1 and 22 of the Construction Products Regulation.</p>	<p>access to the entire EU procurement market. Detailed information on procurement commitments and supplier eligibility is available to contracting authorities.</p> <p>IAA establishes the framework for what 'Made in Europe' procurement entails, covering energy-intensive industrial products, net-zero technologies and automotive components. The revision of the public procurement legal framework will clarify how such procurement is to be carried out. It will integrate sector-specific requirements set out in relevant legislative acts within a common procurement framework and, for key sectors, provide contracting authorities with clear tools to give preference to tenders composed mainly of European products. This approach ensures coherence and legal certainty for both public buyers and economic operators.</p> <p>The proposed Regulation also takes account of the Union's trade defence instruments, including the recently proposed measure addressing the negative effects of global overcapacity on the EU steel market. In addition, it operates in complementarity to the existing Foreign Direct Investment framework, which is about security and public order. Finally, the proposal is without prejudice to the application of the EU's competition rules.</p> <p>(Q2 2026: Proposal for an Industrial Decarbonisation Bank)</p>	<p>possibility of being part of the Union origin scheme and establish Union-level demand measures for products in the chemical industry. Several delegations enquired about the adoption of low-carbon definition in secondary legislation (in delegated acts under the Construction Product Regulation and the ESPR). This is because, in the absence of such a definition, it is difficult to assess the implications of the threshold requirements. The Commission confirmed that the work is ongoing but could not give a precise date for their adoption. Several Member States welcomed the inclusion of the automotive sector in the IAA proposal and enquired about the interlinkages with other proposals (notably the CO2 emission and the corporate fleet proposal). The Commission clarified that the objective is to ensure horizontal approach for the EU origin requirements and IAA was considered as the right tool for this. On the EP side, the IMCO Committee has appointed its co-rapporteur for the IAA, Pierre Jouvét (FR, S&D). INTA is yet to appoint the</p>
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					<p>co-rapporteur from its side. ITRE will be represented by Christoph Grudler (FR, RENEW).</p> <p>The next meeting of the Working Party is scheduled for 11/05, with a focus on the changes related to NZIA. Afterwards, a more in-depth article-by-article examination will take place, with PP provisions expected to be discussed in early June.</p>
<p>European Innovation Act: The 28th Regime: EU Inc.</p>	<p>Package: Proposal for a Regulation on the 28th Regime Corporate Legal Framework - 'EU Inc.' COM(2026) 321 Final</p> <p>Communication from the Commission: Towards a 28th Regime for EU Companies COM(2026) 320 Final</p> <p>Commission Recommendation of 18.3.2026 on the definition of innovative enterprises, innovative startups and innovative scaleups C(2026) 1800 Final</p>	Working Party on Company Law	Article 60: Access to public markets	Access to procurement markets for innovation enterprises and startups. Innovation procurement to drive high-tech resolutions within the public sector.	<p>Published on 18 March 2026. Presented by the Commission at the WP on 23 March. At WP level with weekly meetings to examine the text of the proposal, with expectation for agreement and mandate or GA in December 2026.</p> <p>In the EP, Commissioner McGrath presented the Commission proposal in the JURI-Committee on 4 May. Policy debate is expected at the Competitiveness Council on 28 May.</p>

Cyber Security Act 2	<p>Proposal for a Regulation on the European Union Agency for Cybersecurity (ENISA), the European cybersecurity certification framework, and ICT supply chain security and repealing Regulation (EU) 2019/881</p> <p>COM (2026) 11 Final</p>	Horizontal Working Party on Cyber Issues	Articles 100(4)(e) and 105 (1), and in recitals.	Exclusion grounds for high-risk suppliers, according to Directives 24 and 25/2014. Legal basis of the new Act is Article 114 TTEU.	<p>Received from the Commission on 21 January 2026. Presented by the Commission at WP on 26 January 2026.</p> <p>At WP level (nearest meetings 11 and 18 May), with expected progress reports on 27 May at Coreper 1 and 9 June 2026 at TTE Council. GA is expected in December 2026 and negotiations with EP would start in 2027.</p>
Firearms Directive	<p>Proposal for a Directive on combating firearms trafficking and other firearms-related offences and amending Directive (EU) 2024/1260</p> <p>COM(2026) 102 Final</p>	Working Party on Judicial Cooperation in Criminal Matters (COPEN) (Firearms trafficking)	Articles 5(3)b and 7(2)b – exclusion grounds from tender procedures	On 8-9 December 2025, JAI Council approved Council Conclusions ST 16638/25 on Model provisions on EU substantive criminal law. In the text of the models, point C (c) and F(b) offer the model for ‘tender procedures’, used in this Firearms Directive proposal.	<p>Received on 27 February 2026. Presented by the Commission at WP meeting on 9 March.</p> <p>GA is expected to be agreed in June, and negotiations with EP to start in July.</p>
Omnibus V: Defence Readiness	<p>Proposal for a Directive of the European Parliament and of the Council amending Directives 2009/43/EC and 2009/81/EC, as regards the simplification of intra-EU transfers of defence-related products and the simplification of security and defence procurement</p> <p>COM(2025) 823 final</p>	Antici WP on Simplification (in collaboration with WP on Competitiveness and Growth (Public Procurement) and WP on Defence Industry (DIWP))	Art. 2 in the proposal concerns public procurement and changes to Directive 2009/81/EC.	<p>How to strike the right balance between moving towards a single market for defence equipment and respecting Member States' competences for transfer and export control.</p> <p>To adapt the provisions governing the EU-wide defence market to the current security scenario by introducing targeted adjustments that simplify administrative procedures, cut red tape, and provide more flexible solutions. By streamlining procedures and reducing bureaucratic obstacles, the proposal seeks to create a more agile and responsive European defence market, better equipped to</p>	<p>Received on 17 June 2025. Mandate to start negotiations with EP was approved on 26 November 2025. In EP, there are multiple committees and separate trilogues have been held.</p> <p>The Presidency will request a revision of the mandate at Coreper 2 on 13/05. The final (and concluding) trilogues will take place on 18-19/05, in Strasbourg.</p>

				<p>support the defence readiness efforts of Member States and promote the development of a competitive and innovative European defence industry.</p> <p>The proposal follows the vision and objectives defined in the Joint White Paper for European Defence Readiness 2030 and aims at facilitating the implementation of the ReArm Europe Plan - Readiness 2030. It also includes provisions that specifically aim at better aligning EU defence procurement and transfers regulation to the needs of the implementation of EU defence industrial programmes, such as the European Defence Fund (EDF).</p>	
Horizon Europe	<p>Proposal for a Regulation establishing Horizon Europe, the Framework Programme for Research and Innovation, for the period 2028-2034 laying down its rules for participation and dissemination, and repealing Regulation (EU) 2021/695</p> <p>COM(2025) 543 Final</p>	Working Party on Research	Article 33: Pre-commercial procurement and public procurement of innovative solutions	Requirements to public procurements which can be subject to grant actions under the programme.	<p>First presentation by the Commission at WP meeting on 24/7/2025.</p> <p>Latest compromise text is of 26 February, with policy debate at the COMPET Council on 27 February 2026.</p> <p>CY PRES aims to reach partial GA.</p>

<p>Single Market and Customs Programme SMCP (part of MFF, adopted on 16 July 2025)</p>	<p>Proposal for a Regulation establishing the Single Market and Customs Programme for the period 2028-2034 and repealing Regulations (EU) 2021/444, (EU) 2021/690, (EU) 2021/785, (EU) 2021/847 and (EU) 2021/1077</p> <p><u>COM(2025) 590 Final</u></p>	<p>Competitiveness and Growth (Internal Market); Customs Union WP and Ad Hoc Working Party on the MFF AHWP MFF)</p>	<p>Articles 3, 8, 9 and recitals: objectives, implementation, funding, linked to the Financial Regulation)</p>	<p>SMCP brings together five existing programmes (Single Market Programme, Customs Programme, Anti-fraud Programme, Fiscalis, Customs control equipment instrument) for a total funding of € 6.2 bln.</p> <p>It is expected to sustain the objectives of those programmes despite some adjustments, therefore keeping their respective legal bases.</p> <p>It sets out specific programme objectives and one overall financial envelope without an allocation per objective. The details of the Programme's implementation are left to the work programme to be established in accordance with article 110 of the Financial Regulation.</p> <p>Procurement – public, joint, Commission – is a key policy area in the whole programme, Customs part included.</p> <p>Overall budget € 6,5 bln.</p>	<p>Received 4 September 2025.</p> <p>First presentation by the Commission at WP meeting on 19 September. On 19 December, Coreper endorsed the partial mandate for negotiations with the European Parliament. EP IMCO Committee vote on the EP position is planned for 13-14 July and the Plenary vote, for September.</p>
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<p>Competitiveness Fund ECF (part of MFF adopted on 16 July 2025))</p>	<p>Proposal for a Regulation on establishing the European Competitiveness Fund (ECF), including the specific programme for defence research and innovation activities, repealing Regulations (EU) 2021/522, (EU) 2021/694, (EU) 2021/697, (EU) 2021/783, repealing provisions of Regulations (EU) 2021/696, (EU) 2023/588, and amending Regulation (EU) [EDIP]</p> <p><u>COM(2025) 555 Final</u></p>	<p>AHWP MFF - European Competitiveness Fund and its 3 sub-groups, all under GAC Council</p>	<p>Recitals and Article 3: objectives; Articles 9, 12: implementation; Chapter II: Article 28: SME's business support; Article 39: digital sovereignty; Articles 44 – 49: defence and military procurement; Article 52: funding rates; Article 54: common procurement; Article 65: joint procurement for access to space; Articles 69-70: eligibility; Articles 72-74: complementary rules; Article 81: EU support as procurement.</p>	<p>Requirements to public procurements which can be subject to Union support</p> <p>Chapter II : ECF Tools : Grants, procurement and industrial policy coordination tools:</p> <ul style="list-style-type: none"> • Work Programmes • Accelerated and Targeted Actions for Competitiveness • Single Market value chains builder • EU Tech frontrunners • Production Ramp up actions • Top Ups for IPCEIs (important projects of common European interest). 	<p>Received 16 July 2025. Commission presentation of the IA on 4 September and of the proposal on 9 September. On 5 November, on InvestEU instrument.</p> <p>At its meeting on 4 May, the WP examined the second revised text of the CY Presidency on Chapter VII, section 2 (Defence industry). The preparation of third revised texts of the CY Presidency will be examined at the next meeting on 13 May. The Presidency intends to take the ECF again to Coreper 2 on 20 May, with two main focuses: a number of outstanding issues regarding Defence industry that need to be clarified at Coreper level; and, once again, the horizontal topic of equal access to the ECF. This latter point remains the most problematic for reaching a partial GA at GAC on 16 May.</p> <p>In EP, ITRE Committee discussed the draft report on the Commission's proposal on 6 May. The rapporteurs Christian Ehler (EPP, DE) and Dan Nica</p>
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					(S&D, RO) have tabled 354 substantial amendments. The rapporteurs prioritise excellence over geographic balance, emphasising project quality, and the conversion of scientific excellence into industrial competitiveness. They propose to reinforce the Competitiveness Seal to reward outstanding projects, facilitating additional funding streams. An explicit definition of competitiveness centred on productivity and global competition is introduced. Key changes also include transferring the work programme adoption from implementing to delegated acts, thus enhancing the EP' s role.
Connecting Europe Facility (part of MFF adopted on 16 July 2025))	Proposal for a Regulation establishing the Connecting Europe Facility for the period 2028-2034, amending Regulation (EU) 2024/1679 and repealing Regulation (EU) 2021/1153 COM(2025) 547 final	Ad Hoc WP on Connecting Europe Facility (AHWP CEF)	Recitals 23, 24 and Articles 8 and 9.	Procurement mechanisms for the implementation of the budget and its forms of funding, in accordance with the revised FR.	Received on 17 July 2025. First presented by the Commission on 22 July 2025. (Partial) GA reached on 15 December 2025. No recent developments.

Critical Medicines Act (CMA)	<p>Proposal for a Regulation laying a framework for strengthening the availability and security of supply of critical medicinal products as well as the availability of, and accessibility of, medicinal products of common interest, and amending Regulation (EU) 2024/795 COM(2025) 102 Final</p>	WP on Pharmaceuticals and Medical Devices (Critical Medicines Act)	<p>Article 1 and 3: objectives and definitions; Article 18: award criteria; Article 19 : National programmes ; Article 21: cross border procurement ; Article 22 : Commission procurement ; Article 23 : joint procurement ; Article 24 : agreed procedures. And all the Recitals.</p>	<p>EU preference; Cross border procurement; Joint and collaborative procurement; Commission procuring on behalf of Member States (Financial Regulation applies); No price-based requirements; award criteria; national programmes.</p>	<p>Received on 12 March 2025. Presented by Commission on 8 April 2025. No full IA but Commission subsequently published a working document (SWD (2025) 263). GA at EPSCO Council on 2 December 2025. First trilogue on 2 February 2026. This files is reaching conclusion and adoption by the end of June 2026.</p>
Pharmaceutical package	<p>Proposal for a Directive on the Union code relating to medicinal products for human use, and repealing Directive 2001/83/EC and Directive 2009/35/ECP</p> <p>Proposal for a Regulation laying down Union procedures for the authorisation and supervision of medicinal products for human use and establishing rules governing the European Medicines Agency (EMA), amending Regulation (EC) No 1394/2007 and Regulation (EU) No 536/2014, and repealing Regulation</p>	WP on Pharmaceuticals and Medical Devices (Attachés)	<p>Articles 43a and 170 (5b) of the Pharmaceutical package (joint procurement – EMA Regulation; “voluntary subscription model for the joint procurement of antimicrobials with mandatory amendments to Article 39 (4) of 2014/24 + evaluation provision)</p>		<p>Received on 26 April 2023. Reached agreement. To be adopted by the Council in second half of 2026.</p>

	(EC) No 726/2004, Regulation (EC) No 141/2000, and Regulation (EC) No 1901/2006 COM(2023) 192 Final COM/2023/193 Final				
Military Mobility Regulation	Proposal for a Regulation on establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union COM(2025) 847 Final	Ad hoc WP on Military Mobility; WP on Transport - Intermodal Questions and Networks WP on Defence industry (DIWP) European Union Military Committee Politico-Military Group WP on Civil Protection – Critical Entities Resilience (PROCIV CER)	Articles 3(13) and 39; It relates to Directive 25/2014.	A uniform framework for permission procedures and rules, creation of a “Military Mobility Digital Information System”, with simplified customs rules; Creating an emergency framework (“European Military Mobility Enhanced Response System” for fast-track procedures and priority access to transport infrastructure in crisis situations); Enhancing the resilience of the transport infrastructure (upgrades of dual-infrastructure located on military mobility corridors and identification of ‘strategic dual-use infrastructure’ subject to higher resilience standards); Improving the availability of transport capabilities (establishment of a "Military Mobility Solidarity Pool" to encourage the sharing and pooling of military transport asset, ensuring access to vehicle registries for potential use in military transport, creation of a temporary control or right of use framework, conclusion of framework contracts with service providers); Contains a separate chapter amending a number of Union acts related to transport (Omnibus), notably the Regulation on the European Union Agency for Railways, the Directive on the interoperability of the rail system within the European Union, the	Received on 20 November 2025. Presented by the Commission on 9 and 16 January 2026. At WP level, with many meetings. In May, on 22 and 29 May 2026.

				Regulation on the implementation of the Single European Sky, and the Regulation on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency.	
CMDI* Review - Bank Recovery and Resolution Directive (BRRD) *Crisis Management and Deposit Insurance (CMDI) Framework	Proposal for a Directive amending Directive 2014/59/EU as regards early intervention measures, conditions for resolution and financing of resolution action COM(2023) 227 Final	WP on Financial Services and the Banking Union (CMDI) and Financial Services Attachés	Amendment to Article 10 of Directive 2014/24/EU	Commission proposal does not include a reference to procurement. Council's mandate includes new article 126a "Amendment to Directive 2014/24/EU, in article 10 (specific exclusions for service contracts), the following point (k): Services needed for the preparation, application and exercise of resolution tools and powers provided for in Title IV of Directive 2014/59/EU. EP's mandate does not include any references to public procurement.	Provisional political agreement with EP after 9 trilogues at second reading. Adopted by the Council on 5 March 2026. Under linguistic legal revision.
Child Sexual Abuse	Proposal for a Directive on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast) COM(2024) 60 final	WP on Judicial Cooperation in Criminal Matters (COPEN) (Child sexual abuse)	Exclusion grounds in Article 14	"Member States shall take the necessary measures to ensure that a legal person held liable pursuant to Article 13 is punishable by effective, proportionate and dissuasive sanctions, which shall include criminal or non-criminal fines and may include other sanctions, such as: [...] (b) exclusion from access to public funding, including tender procedures, grants and concessions;"	GA in December 2024. Two trilogues and 12 technical meetings were held but there is still no agreement. Trilogue on 3 March 2026 and important WP meeting on 18 March in the presence of Europol. Second trilogue programmed for 2 June with June adoption by Council and full adoption in October 2026.

<p>Late Payments</p>	<p>Communication from the Commission to the EP, the Council, the European Economic and Social Committee and the Committee of the Regions (SME Relief Package) – NLE file COM(2023) 535 Final</p> <p>Proposal for a Regulation of the European Parliament and of the Council on combating late payment in commercial transactions COM(2023) 533 Final</p>	<p>WP on Competitiveness and Growth (Industry)</p>	<p>Articles 3 and 4, Recital 14</p>	<p>SMEs and procurement; Article 71(3) of Directive 2014/24/EU and Article 88(7) of Directive 2014/25/EU on public procurement offer Member States the possibility to lay down provisions on direct payments to subcontractors.</p>	<p>This proposal is pending due to 21 MS being against. No meetings are planned until at least 2027. Views in EP differ from those of MS.</p>
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Green Claims	<p>Proposal for a Directive of the EP and of the Council on substantiation and communication of explicit environmental claims (Green Claims Directive)</p> <p>COM(2023) 166 final</p>	Environment	Article 17; Recital 17 Exclusion grounds	<p>The Commission proposed under Article 17(3)(c) Penalties: “temporary exclusion for a maximum period of 12 months from public procurement processes and from access to public funding, including tendering procedures, grants and concessions.</p> <p>The Council’s mandate deletes the provision altogether.</p>	Reached agreement, possibly adoption, but not published in OJ.
‘Facilitation Directive’ (migrant smuggling)	<p>Proposal for a Directive laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit, and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA</p> <p>COM(2023) 755 final</p>	COPEN	Article 6(5d), Article 7, not explicitly; Article 8	Exclusion grounds	<p>GA in December 2024. At trilogues stage to last throughout 2026.</p> <p>Target: agreement late in 2026 and possible adoption in mid-2027.</p>

Tables of Adopted EU Legislation with Public Procurement (PP) Provisions: State of Play in May 2026

ADOPTED sector-specific regulations with PP provisions		PP Provisions	Grounds for implementing (I)/ delegated acts (D)/ guidance on PP (G)	Entry into force/expiration
Foreign Subsidies Regulation (FSR)	Regulation (EU) 2022/2560 of the EP and of the Council of 14 December 2022 on foreign subsidies distorting the internal market	Chapter I, Chapter II, Chapter IV, Chapter V – Modification of PP procurement procedures by notification procedure on foreign subsidies.	Article 47(1)- I - detailed arrangements for procurement procedures. Article 49(5) - D - amending thresholds for notification.	12 January 2023
International Procurement Instrument (IPI)	Regulation (EU) 2022/1031 of the EP and of the Council of 23 June 2022 on the access of third-country economic operators, goods and services to the Union's public procurement and concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries	All provisions.	Article 6(1)- I - measures restricting the access of economic operators, goods or services from a third country to the EU public procurement procedures.	29 August 2022
Enforcement Regulation	Regulation (EU) No 654/2014 of the EP and of the Council of 15 May 2014 concerning the exercise of the Union's rights for the application and enforcement of international trade rules and amending Council Regulation (EC) No 3286/94 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization	Article 5(1)(c); 5(2) - content of EU commercial policy measures.	Article 5(1)(c)- I -suspension of concessions regarding goods, services or suppliers in the area of public procurement.	13 February 2021
Anti-Coercion Instrument (ACI)	Regulation (EU) 2023/2675 of the EP and of the Council of 22 November 2023 on the protection of the Union and its Member States from economic coercion by third countries	Annex I point 4. - content of EU response measures.	Article 8(1)- I – EU' response measures.	27 December 2023
Sanctions against Russia because of Ukraine	Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine	5k - exclusion grounds.		24 February 2022

EU Financial Regulation	Regulation (EU, Euratom) 2024/2509 of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast)	Title I Subject matter, definitions and general principles, Chapter 8 of Title II Principle of transparency-Article 38 - publication of information on recipients and other information, Article 62 - methods of budget implementation, Article 115 - types of payments, Article 116 - time limits for payments, Title V Common rules, Title VI Indirect management, Title VII Procurement and concessions, Article 164 - Annex on procurement and delegation of powers, Article 165 - mixed contracts and common procurement vocabulary.		30 September 2024
Passenger transport services by rail and by road	Regulation (EC) No 1370/2007 of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70	All provisions.		3 December 2009
European Standardisation Regulation	Regulation (EU) No 1025/2012 of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council [amended by Regulation (EU) 2022/2480]	Article 14 - use of ICT technical specifications in public procurement for hardware, software and information technology services	Article 13 (1) (2) – Commission may identify ICT technical specifications which may be referenced in public procurement	1 January 2013

European Health Data Space (EHDS)	Regulation (EU) 2025/327 of 11 February 2025 on the European Health Data Space and amending Directive 2011/24/EU and Regulation (EU) 2024/2847	Article 15(1) European electronic health record exchange format Article 36(2)(3) Common specifications ANNEX II Essential requirements for the harmonised software components of EHR systems and for products for which interoperability with EHR systems has been claimed	Article 15 - I - setting out the European electronic health record exchange format and updates Article 36(1) – I setting common specifications in respect of the essential requirements	26 March 2025
European Media Freedom Act	Regulation (EU) 2024/1083 establishing a common framework for media services in the internal market	Article 25 - allocation of public funds for state advertising and supply or service contracts.		7 May 2024
EDIRPA (defence procurement)	Regulation (EU) 2023/2418 of 18 October 2023 on establishing an instrument for the reinforcement of the European defence industry through common procurement	All provisions.		27 October 2023
Ammunition production (ASAP)	Regulation (EU) 2023/1525 of 20 July 2023 on supporting ammunition production	Articles 9, 11, 14 - promotion and facilitation of joint procurement of ammunition, derogation from Directive 2009/81/EC.		25 July 2023 (end of validity: 30 June 2025)
Internal Market Emergency and Resilience Act (IMERA, formerly SMEI)	Regulation (EU) 2024/2747 of 9 October 2024 establishing a framework of measures related to an internal market emergency and to the resilience of the internal market and amending Council Regulation (EC) No 2679/98	Title V, Articles 36-39 - joint procurement, procurement by the Commission in the name and on behalf of MS, Article 40 - obligation to consult and coordinate procurement in emergency mode, Article 41 - exclusivity clause.	Article 9(1)- I - contingency framework, Article 18(4)- I - list of crisis-relevant goods and services, Article 29(4)- I - priority rated requests.	28 November 2024
Cross-border threats to health	Regulation (EU) 2022/ of 23 November 2022 on serious cross-border threats to health and repealing Decision No 1082/2013/EU	Article 12 - joint procurement of medical countermeasures.		26 December 2022
Medical countermeasures	Council Regulation (EU) 2022/2372 of 24 October 2022 on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level	Article 7(4) - MS information obligation, Article 8 - procurement of crisis-relevant medical countermeasures and raw materials.	Article 7(1)- I - a shortlist of specific crisis-relevant medical countermeasures and raw materials for the preparation of measures to be taken.	26 December 2022

Chips Act	Regulation (EU) 2023/1781 of 13 September 2023 establishing a framework of measures for strengthening Europe's semiconductor ecosystem and amending Regulation (EU) 2021/694 (Chips Act)	Article 22 (3) - joint procurement rules, Article 27 - common purchasing.	Article 26(8)- priority-rated orders.	21 September 2023
Critical Raw Materials Act (CRMA)	Regulation (EU) 2024/1252 of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020	Article 25 - joint purchasing, Art. 26(1)(d) - MS obligation to adopt measures taking recycled content into account in award criteria related to public procurement.	Article 26(7)- I - list of products, components and waste streams having a relevant critical raw materials recovery potential.	23 May 2024
Ecodesign Regulation (ESPR)	Regulation (EU) 2024/1781 of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC	Articles 4 to 8 - ecodesign requirements, Article 65 - green public procurement, Article 74(3)(b) - exclusion grounds.	Art. 4(1)- D - setting ecodesign requirements, Article 65(3)- I - setting mandatory minimum green public procurement requirements.	18 July 2024
Batteries Regulation	Regulation (EU) 2023/1542 of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC	Article 85 - green public procurement.	Article 85(3)- D - setting award criteria for procurement procedures.	17 August 2023
Construction Products	Regulation (EU) 2024/3110 of 27 November 2024 laying down harmonised rules for the marketing of construction products and repealing Regulation (EU) No 305/2011	Article 83 - green public procurement.	Article 83(1)- D-with mandatory minimum environmental sustainability requirements for construction products.	7 January 2025
Packaging and packaging waste	Regulation (EU) 2025/40 of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC	Article 63 - green public procurement.	Article 63(1)- I-with minimum mandatory requirements for public contracts for packaging or packaged products or for services using packaging or packaged products.	11 February 2025

Heavy Duty Vehicles (HDV)	Regulation (EU) 2019/1242 of 20 June 2019 setting CO2 emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC [as amended by Regulation (EU) 2024/1610 of the European Parliament and of the Council of 14 May 2024]	Article 3e - obligatory criteria of tender's contribution to the security of supply and environmental sustainability for urban buses.		26 June 2024
Net Zero Industry Act (NZIA)	Regulation (EU) 2024/1735 of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724	Article 25 - sustainability and resilience contribution in public procurement procedures.	Article 29(2)- I - list of each of the net-zero technology final products and their main specific components.	29 June 2024
Cyber Resilience Act (CRA, Cybersecurity Requirements)	Regulation (EU) 2024/2847 of 23 October 2024 on horizontal cybersecurity requirements for products with digital elements and amending Regulations (EU) No 168/2013 and (EU) No 2019/1020 and Directive (EU) 2020/1828	Article 5 - procurement or use of products with digital elements, Annex I - essential cybersecurity requirements.	Article 7(4)- I - Important products with digital elements, Article 8(1)- D - Critical products with digital elements.	10 December 2024
Single Digital Gateway (SDG)	Regulation (EU) 2018/1724 of the of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012	Article 14 - technical system for the automated exchange of evidence between competent authorities in different Member States.	Art. 14(9)- I - technical and operational specifications of the technical system.	11 December 2018
Electricity Market Design (EMD)	Regulation (EU) 2019/943 of 5 June 2019 on the internal market for electricity (recast) [as amended by Regulation (EU) 2024/1747 of the European Parliament and of the Council of 13 June 2024 amending Regulations (EU) 2019/942 and (EU) 2019/943 as regards improving the Union's electricity market design]	Article 6 - procurement of balancing capacity, Article 20 - procurement of balancing and ancillary services.		16 July 2024 (17 January 2025 - deadline for transposition)
Single European Sky 2+ package	Regulation (EU) 2024/2803 of 23 October 2024 on the implementation of the Single European Sky (recast)	Article 11(6) - conditions regarding the provision of CNS, AIS, ADS, MET and of air traffic services for approach and aerodrome control.		1 December 2024

Deforestation Regulation	Regulation (EU) 2023/1115 of 31 May 2023 on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010	Article 25(2)(d) - exclusion grounds.		30 December 2025
Shipments of waste	Regulation (EU) 2024/1157 of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006	Article 63(3)(c) - exclusion grounds.		20 May 2024
Union Secure Connectivity Programme	Regulation (EU) 2023/588 of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027	Article 7 - promotion of joint procurement, Articles 19-22 - procurement rules under the Programme.		20 March 2023
EU Space Programme Regulation	Regulation (EU) 2021/696 of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013 and (EU) No 377/2014 and Decision No 541/2014/EU	Title III, Chapter I procurement rules under the Programme – Articles 14 to 17.		12 May 2021
Security Action for Europe (SAFE)	Council Regulation (EU) 2025/1106 of 27 May 2025 establishing the Security Action for Europe (SAFE) through the Reinforcement of the European Defence Industry Instrument	Articles 1-2; Articles 16-19	Rules on simplified common procurement procedures for acquisition of defence products; financial assistance to defence procurement. Conditions for the participation of other third countries entities and products; Modification of framework agreements or contracts. Negotiated procedure without publication. EU-UK bilateral agreement Eligibility conditions applying to UK industry for common procurement under SAFE (Art.16).	27 May 2025

<p>European Defence Industry Programme (EDIP)</p>	<p>Regulation (EU) 2025/2643 of 16 December 2025 establishing the European Defence Industry Programme and a framework of measures to ensure the timely availability and supply of defence products ('EDIP Regulation')</p> <p>OJ L, 2025/2643, 29.12.2025</p>	<p>Common procurement across the EU.</p> <p>Derogations and modifications to Directive 81/2009 on defence procurement.</p> <p>Procurement provisions cover the whole text.</p>	<p>Recitals 1, 4, 5a, 15, 17ab, 18a, 20-21a, 30a, 30ab, 39; 48, 49, 69a and Articles 2, 4, 8, 10 -12, 15, 19a, 19da, et al:</p> <p>Common and efficient procurement, hereunder by possibility to establish a Structure for European Armament Programme (SEAP) for closer collaboration; close procurement partnership with Ukraine;</p> <p>Role of the Commission (Financial Regulation, Article. 168(2)) in support of Member States and Ukraine; joint procurements as well as its ability to act as a "central purchasing body" (Art. 35);</p> <p>On Directive 81/2009: using it for changes or derogations, on the basis of its Articles 10, 12(c), 13(f), 29(2), 32, 34, 39 to 46.</p> <p>To stimulate cross-border procurement and competitiveness.</p>	<p>29 December 2025</p>
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ADOPTED sector-specific directives with PP provisions		PP Provisions	Transposition deadline
e-Invoicing	Directive 2014/55/EU of 16 April 2014 on electronic invoicing in public procurement	All provisions.	18 April 2019 (optional extension for sub-central: 18 April 2020)
Women on Boards	Directive (EU) 2022/2381 of 23 November 2022 on improving the gender balance among directors of listed companies and related measures	Article 8(3) - list of companies obliged to comply with applicable obligations relating to social and labour law.	28 December 2024
Minimum wages	Directive (EU) 2022/2041 of 19 October 2022 on adequate minimum wages in the European Union	Article 9 - measures to ensure that, economic operators and their subcontractors comply with the applicable obligations regarding wages, the right to organise and collective bargaining on wage-setting, in the field of social and labour law established by Union law, national law, collective agreements or international social and labour law provisions.	15 November 2024
Clean Vehicles	Directive 2009/33/EC of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (recast) [as amended by Directive (EU) 2019/1161 of the European Parliament and of the Council of 20 June 2019]	Article 5 - minimum procurement targets for vehicles and of passenger road transport services, Table 3 of the Annex - minimum procurement targets for clean light-duty vehicles.	2 August 2021
Accessibility	Directive (EU) 2019/882 of 17 April 2019 on the accessibility requirements for products and services	Article 24(1) and Annex I - mandatory accessibility requirements in procurement.	28 June 2022
Energy Performance of Buildings (EPFD)	Directive (EU) 2024/1275 of 24 April 2024 on the energy performance of buildings (recast)	Requirements for buildings with a view to achieving a zero-emission building stock by 2050, Article 3 - national building renovation plan, Article 5 - minimum energy performance requirements for buildings, Article 6(1) - delegated acts revising a comparative methodology framework for calculating cost-optimal levels of minimum energy performance requirements for buildings and building elements, Article 7(1) - zero-emission requirement for new buildings, Article 7(3) - delegated act with a Union framework for the national calculation of life cycle GWP, Article 8 - renovation of existing buildings.	29 May 2026

Energy Efficiency Directive (EED)	Directive (EU) 2023/1791 of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955 (recast)	Article 7 - obligation to purchase only products, services buildings and works with high energy-efficiency performance; energy efficiency first principle; exceptions, Annex IV energy efficiency requirements.	11 October 2025
Renewable Energy Directive (RED III)	Directive (EU) 2018/2001 of 11 December 2018 on the promotion of the use of energy from renewable sources (recast) [as amended by: Directive (EU) 2023/2413 amending Directive (EU) 2018/2001, Regulation (EU) 2018/1999, and Directive 98/70/EC as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652]	(Article 15(2) - technical specifications which are to be met by renewable energy equipment and systems in order to benefit from support schemes and to be eligible under public procurement, Article 15(2a) - promotion of testing of innovative renewable energy technology for producing, sharing and storing of renewable energy through pilot projects, Article 15(3) - obligation to include provisions for the integration and deployment of renewable energy and for the use of unavoidable waste heat and cold, Article 15(8) - promotion and removal of barriers to long-term renewable energy purchase agreements.	21 May 2025
Waste	Directive 2008/98/EC of 19 November 2008 on waste and repealing certain Directives [as amended by: Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste)	Article 11 - promotion of sustainable criteria in public procurement.	31 December 2020
Corporate Sustainability Due Diligence	Directive (EU) 2024/1760 of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859	Article 31 - sustainability award criteria for public and concession contracts.	26 July 2026
Electricity Market Directive	Directive (EU) 2019/944 of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (recast)	Article 31 - procurement by distribution system operators of products and services necessary for the efficient, reliable and secure operation of the electricity distribution system, Article 32 - procurement of flexibility services in distribution networks, Article 38 - energy and flexibility services procurement exemptions in closed distribution systems, Article 40 - procurement of balancing services (4) and non-frequency ancillary services (5) by transmission system operators.	31 December 2020

Employers of illegally staying third-country nationals	Directive 2009/52/EC of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals	Article 7(b) - exclusion grounds.	20 July 2011
Equal pay for equal work	Directive (EU) 2023/970 of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms	Article 24(2) - exclusion grounds.	7 June 2026
Fraud and Counterfeiting of Non-cash Means of Payment	Directive 2019/713 of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA	Article 11(b) - exclusion grounds.	31 May 2021
Money Laundering	Directive 2018/1673 of 23 October 2018 on combating money laundering by criminal law	Article 8(b) - exclusion grounds.	3 December 2023
Breach of EU Sanctions	Directive (EU) 2024/1226 of 24 April 2024 on the definition of criminal offences and penalties for the violation of Union restrictive measures	Article 7(b) - exclusion grounds.	20 May 2025
Environmental Crimes	Directive (EU) 2024/1203 of 11 April 2024 on the protection of the environment through criminal law and replacing Directive 2008/99/EC	Articles 5(3)(c) and 7(2)(c) - exclusion grounds.	21 May 2026
Trafficking in human beings	Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA [as amended by Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024]	Article 6(2)(b) - exclusion grounds.	15 July 2026
Protection of the union's financial interests (PIF Directive)	Directive (EU) 2017/1371 of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law	Article 9(b) - exclusion grounds.	6 July 2019
NIS2 (cybersecurity)	Directive (EU) 2022/2555 of 14 December 2022 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive)	Article 7(2)(b) - MS policies on the inclusion and specification of cybersecurity-related requirements for ICT products and ICT services in public procurement, Article 24 - MS obligation to ensure that essential and important entities take appropriate and proportionate cybersecurity measures of network and information systems.	17 October 2024

<p>Omnibus I: The part on Corporate Sustainability Due Diligence Directive (CSDDD)</p>	<p>Directive amending Directives (EU) 2022/2464 and (EU) 2024/1760 as regards the dates from which Member States are to apply certain corporate sustainability reporting and due diligence requirements (Directive (EU) 2024/1760 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859)</p>	<p>Article 31 - sustainability award criteria for public and concession contracts. Postponing the transposition deadline as well as the application of the Directive by 1 year</p>	<p>16 April 2025</p>
<p>Money Laundering Directive</p>	<p>Directive (EU) 2024/1640 of 31 May 2024 on the mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Directive (EU) 2019/1937, and amending and repealing Directive (EU) 2015/849</p>	<p>In Article 12 paragraph 2 point i) Member States' public authorities in the context of public procurement procedures, in respect of the tenderers and operators being awarded the contract under the public procurement procedure are indicated as entitled to have legitimate access to information on beneficial owners of legal entities and legal arrangements held in the interconnected central registers referred to in Article 10 of the Directive.</p> <p>According to motive 48 of the Directive 2024/1640 "The notion of public authorities in relation to procurement procedures should encompass the concept of contracting authorities in Union legal acts relating to public procurement procedures for goods and services, or concessions as well as any public authority designated by Member States to verify the legality of public procurement procedures, which is not a competent authority for AML/CFT purposes.</p>	<p>19 June 2024</p>

European Works Councils	Directive (EU) 2025/2450 of the European Parliament and of the Council of 26 November 2025 amending Directive 2009/38/EC as regards the establishment and operation of European Works Councils and the effective enforcement of transnational information and consultation rights	Recital 27 on social sustainability criteria In accordance with Article 30(3) and Article 42(1) of Directive 2014/23/EU <u>36</u> , Article 18(2) and Article 71(1) of Directive 2014/24/EU <u>37</u> and Article 36(2) and Article 88(1) of Directive 2014/25/EU <u>38</u> , Member States are to take appropriate measures to ensure that in the performance of public contracts economic operators observe applicable obligations in the fields of social and labour law established by Union law. The effective implementation of the requirements under this Directive should be promoted through the integration, as appropriate, of social sustainability criteria in the award criteria designed by contracting entities for identifying the most economically advantageous tenders. However, this Directive does not create any additional obligation in relation to those Directives.'	26 November 2025
Combatting Corruption	Directive (EU) 2026/1021 of the EP and of the Council on combatting corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the EP and of the Council	Articles 15 and 17 Exclusion grounds Article 17(2)(c) Sanctions for legal persons: "The temporary or permanent exclusion from public procurement". The Council mandate amended the Commission proposal into "exclusions from access to public funding, including tender procedures, grants, concessions and licenses". The EP's mandate keeps the Commission proposal on exclusion, and adds under Article 3(5)(5a) Prevention of corruption: "Member States shall take appropriate measures to promote transparency and accountability in the management of public finances. Member States shall, in particular, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making. Member States shall publish information in open data formats including, but not limited to, government budgets, government spending, public procurement, voting records, permits and concessions, and state subsidies".	11 May 2026

Table of Adopted Sector-specific Delegated and Implementing Acts: State of Play in May 2026

ADOPTED – delegated act with PP provisions		PP Provisions	Entry into force
Foreign Subsidies Regulation (FSR)	Commissions Implementing Regulation (EU) 2023/1441 of 10 July 2023 on detailed arrangements for the conduct of proceedings by the Commission pursuant to Regulation (EU) 2022/2560 of the EP and of the Council on foreign subsidies distorting the internal market C(2023) 4622	Chapter I, Chapter II, Chapter IV, Chapter V – Modification of PP procurement procedures by notification procedure on foreign subsidies. Chapter I, Chapter II (Articles 3, 5, 7), Chapter III, Chapter IV (Article 14-16), Chapter V-VIII (without Article 23), Chapter IX (Article 26).	12 July 2023
International Procurement Instrument (IPI)	Commission Implementing Regulation (EU) 2025/1197 of 19 June 2025 imposing an International Procurement Instrument measure restricting the access of economic operators and medical devices originating in the People’s Republic of China to the European Union public procurement market for medical devices pursuant to Regulation (EU) 2022/1031. C(2025) 3843	All provisions. Article 6(1) IPI and Recital 33 of the implementing act: <i>An IPI measure in the form of exclusion of tenders within the meaning of Article 6(6), letter (b), of the IPI Regulation submitted by economic operators originating in the PRC and including in its scope: (i) all Union procurement procedures concerning all categories of medical devices; (ii) organised by all Union contracting authorities and contracting entities; (iii) with a value equal or above EUR 5 000 000 net of VAT; and (iv) affecting all economic operators originating in the PRC, to be adequate and proportionate with regard to the identified measures and practices put in place and implemented by the PRC, and would most effectively remedy the level of impairment of access identified.</i>	1 July 2025

<p>Net Zero Industry Act (NZIA)</p>	<ul style="list-style-type: none"> - Commission Delegated Regulation (EU) 2025/1463 of 23 May 2025 amending Regulation (EU) 2024/1735 of the European Parliament and of the Council as regards the identification of sub-categories within net-zero technologies and the list of specific components used for those technologies (C(2025) 2901); - Commission Delegated Regulation (EU) 2025/1477 of 21.5.2025 supplementing Regulation (EU) 2024/1735 of the European Parliament and of the Council by specifying the rules on the identification of authorised oil and gas producers who are required to contribute to the objective of reaching the Union-target for available CO2 injection capacity by 2030, on the calculation of their respective contributions, and on their reporting obligations (C(2025) 3218); - Commission Implementing Regulation (EU) 2026/718 of 20.3.2026 laying down rules for the application of Regulation (EU) 2024/1735 of the European Parliament and of the Council as regards minimum environmental sustainability requirements for public procurement procedures involving certain net-zero technologies C(2026) 1785 final 	<ul style="list-style-type: none"> - To implement the criteria, such as 'specific', 'commercial availability', 'always primarily used' and 'essential'. The methodology is then applied to all net-zero technologies in order to identify final products and specific essential components that can reasonably be considered to be primarily used for net-zero technologies. - This Delegated Regulation defines the rules for the identification of entities subject to a contribution obligation, including the production threshold below which entities are excluded from contributing (minimum threshold). - This Implementing Regulation is designed to implement Article 28 of Regulation (EU) 2024/1735 (the Net-Zero Industry Act), aiming to ensure that public contracts prioritize green solutions and support EU climate goals. <p>Purpose: To harmonise the environmental standards that public authorities must use when purchasing net-zero technologies (e.g., renewable energy equipment, heat pumps, electrolysers).</p> <p>Application: It supports the overarching Net-Zero Industry Act, which promotes the deployment of green technology and strengthens the competitiveness of the EU's net-zero industrial base.</p>	<p>28 July 2025</p> <p>25 July 2025</p> <p>20 March 2026</p>
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	<ul style="list-style-type: none"> - Commission Implementing Regulation (EU) 2025/1178 on laying down rules for the application of Regulation (EU) 2024/1735 of the European Parliament and of the Council as regards the list of net-zero technology final products and their main specific components for the purposes of assessing the contribution to resilience 	<p>Requirements: Focuses on setting mandatory minimum sustainability criteria, likely covering aspects such as the carbon footprint, durability, and environmental impact of the technologies over their lifecycle.</p> <ul style="list-style-type: none"> - In accordance with Articles 25, 26 and 28 of Regulation (EU) 2024/1735, where there is evidence of a significant dependency on third countries with regard to the Union's supply of net-zero technologies, non-price criteria, such as the contribution to resilience, are to be applied in public procurement, renewable energy auctions or other forms of public intervention. For the purposes of assessing the contribution to resilience, the Commission is to adopt an implementing act providing a list of the net-zero technology final products and their main specific components. The list serves to assess the contribution to resilience. 	<p>18 June 2025</p>
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Table of Recent Judgements by the Court of Justice of the EU (CJEU) concerning Public Procurement: State of Play in May 2026

CJEU		PP Provisions	Entry into force
Case C-210/24 ("AESTE v Ayuntamiento de Ortuella")	https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62024CJ0210	<p>Social Services:</p> <p>Award criterion related to collective agreements and pay conditions conflicted with the freedom to provide services or infringed the right of collective bargaining under the Charter of Fundamental Rights.</p> <p>Article 67(1) of Directive 2014/24/EU must be interpreted as meaning that <u>a criterion for the award of a public contract for social services without accommodation which takes into consideration an increase, above the level resulting from the application of the sectoral collective agreement in force, in the total payroll that the tenderer proposes to apply to the staff performing the contract, allows the contracting authority to identify the most economically advantageous tender, within the meaning of that provision</u>".</p> <p>Article 28 of the Charter of Fundamental Rights of the EU must be interpreted as not precluding a criterion for the award of a public contract for social services without accommodation which, first, takes into consideration an increase, above the level resulting from the application of the sectoral collective agreement in force, in the total payroll that the tenderer proposes to apply to the staff performing the contract and, second, requires that tenderer to specify, after collective negotiation with the representatives of that staff, the elements of remuneration covered by that salary increase and to endeavour to conclude a collective agreement applying to that staff".</p>	5 March 2026

<p>Case C-313/24 (Opera Laboratori Fiorentini SpA Opera Laboratori Fiorentini SpA v Ministero della Cultura and Others.)</p>	<p>https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62024CJ0313</p>	<p>Common Foreign and Security Policy:</p> <p>CJEU clarified how EU restrictive measures against Russia, adopted by the Council of the European Union under Regulation (EU) No 833/2014, as amended, apply in the context of public procurement.</p> <p>The Court clarified the criteria for determining whether an economic operator falls within the scope of the sanctions, including how ownership, control, and links with sanctioned persons or entities must be assessed. It held that contracting authorities are required to carry out a thorough assessment before awarding a public contract to a company that is not established in Russia but is managed by an administrator who is a Russian national.</p> <p>The Court stressed that authorities must assess all relevant legal and factual circumstances, including, inter alia, ownership and control structures, personal and professional connections between the persons concerned, the characteristics of the transactions, and any evidence of coordination or prior instructions.</p>	<p>12 February 2026</p>
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